Justice Reinvestment Initiative

Assessing State Progress through Data Tracking and Analysis

As policy makers and taxpayers seek better results from government programs, performance measurement has become a higher priority for the criminal justice system. Three levels of data monitoring and assessment can contribute to stakeholders' understanding of how well sentencing and corrections reforms are performing:

- **System-level trends** or "dashboards" that monitor key indicators from arrests and court filings through parole grant rates.
- **Policy- and program-specific** indicators that measure the impact of specific policy reforms on correctional populations (e.g., the number of people who are eligible and received expanded earned time credits).
- **Policy assessments** that involve more intensive scientific evaluations of specific reforms including the impact of the policy change on recidivism.

This guide is intended as a starting point for states that have enacted comprehensive justice system reforms. Such states will likely have to build capacity over time to track these measures in a consistent way, and technical assistance through the Justice Reinvestment Initiative (JRI) is designed in part to assist with this important function. This guide is organized according to these three categories and examples are provided for states interested in adapting and tailoring them to the unique characteristics of their systems.

I. System-Level Trends

The measures outlined here are system-level indicators designed to track the main goals and objectives of state sentencing and corrections systems, for example the prison population and recidivism rates. System indicators can alert stakeholders of encouraging or concerning trends, but cannot answer why a trend is occurring. As a result, such indicators do not stand alone, but are an essential part of an overall data-analytic strategy. A spike or drop in an indicator can and should lead to additional analyses of case-level data to uncover causes and craft solutions.

After piloting a set of system-level indicators at the November 2014 Justice Reinvestment Summit, the JRI partner organizations assessed the utility, feasibility, and relevance of these measures. This iteration reflects feedback of the states who participated in the national summit, technical assistance providers, and the funders.

The following pages provide one-page descriptions for each of eight performance measures that fall into three broad categories. Each measure offers suggested specifications and alternative options.

Population	Public Safety	Spending and Savings
1. Prison	5. Overall Crime	7. Corrections Spending
2. Community Supervision	6. Three-year Recidivism	8. Total Savings and Reinvestment
3. Jail and Jail Backlog		
4. Prison Composition		

This list is a menu—a starting point for individual states to track progress over time and for the JRI partners to track the desired outcomes across all JRI states in a consistent manner. Each state may have different goals and priorities for measurement. For states, the primary purpose is for state oversight councils and agencies to monitor implementation and ongoing trends. Some measures will be more important for some states than others; some may be particularly difficult to collect; and others will be readily available. Each state will need to make judgment calls regarding which measures to prioritize, which will need more time to develop, whether to track additional measures not described here, and how to define any measure they do choose to track. While the specifics of state reforms differ, they share some common goals. Consequently, all states should strive to routinely gather and report some data in each of the major categories.

As with other high-level measures, these metrics may suggest, but will not by themselves demonstrate, a relationship between justice reinvestment reforms and trends in correctional populations, spending, or recidivism.

For each measure that you develop:

- Seek to provide at least five years data prior to JRI reforms through most current data available
- Indicate on the charts/graphs the effective date of any major reform (including JRI)
- Document the definition to ensure consistent measurement over time

1. Prison Population

Goal: To document trends in the state's prison population, including comparisons with trends projected during justice reinvestment reforms.

Metric 1: the state's sentenced inmate population

- Option 1: use same definition as was used for JRI calculations
- Option 2: if definition cannot be reconstructed, use BJS definition (jurisdictional count, not custody count)
- Option 3: use standard state definition

Metric 2: the state's baseline inmate population projection, prior to JRI

Metric 3: the state's projected inmate population at time of, and including impact from, JRI reforms

2. Community Supervision

Goal: To document trends in the state's community supervision populations. Few states have the capacity to track all populations in community corrections, in particular the populations described by metric 3. Even if undercounted, this information can contribute to a fuller understanding the dynamics of the system.

Metric 1: the state's parole population

- Use BJS definitions where possible

Metric 2: the state's probation population

- Use BJS definitions where possible
- Consider including felony offenders only

Metric 3: the population of offenders on other forms of community supervision who are not counted among the probation or parole populations, such as offenders in alternatives to incarceration/diversion programs, "community corrections" programs or "drug courts"

3. Jail and Jail Backlog

Goal: To document trends in the state's jail population and backlog, including impact that may be attributed to justice reinvestment reforms. Tracking impact on jails can be important in at least three scenarios: 1) when reforms result in individuals serving jail sentences who, under the previous sentencing scheme, would have served a prison sentence; 2) when jails hold sentenced individuals awaiting transfer to a state prison facility; 3) when state sentencing policy permits those sentenced to state custody to serve their sentences in jail. These metrics may not apply for some states.

Metric 1: the state's jail population

- Use standard state definitions

Metric 2: the state's DOC jail backlog

- Use standard state definitions

4. Prison Composition

Goal: To document the extent to which the state's prison beds are occupied by more serious, chronic and violent offenders, including the potential impact of justice reinvestment reforms. This measure does not answer whether a state has an appropriate level of incarceration. Rather, based on the number of prison beds a state has made available, it can indicate the extent to which a state is focusing those expensive resources on serious, violent and chronic offenders. At a minimum, using this measure requires thoughtful discussions and answers to the question of what constitutes serious and violent crimes, and how to define "chronic."

Metric 1: prison admissions

Metric 2: stock population

For both metrics:

- Report the percent of admissions and stock population for each of the following categories---
  - whose charge of conviction is a serious or violent crime
  - who has been deemed chronic
  - whose criminal history includes a conviction for a serious or violent crime
- As an alternative, construct a unified measure (or "Prison Composition Index") of the *percent* of admissions and stock population who are serious, chronic, or violent offenders, using whatever definitions/thresholds the state deems appropriate. For example, Pennsylvania has elected to construct a composite measure (i.e., that combines two or more data items), and Oregon has begun work to develop its own composite measure. The measure might be presented as the percent meeting the defined measure (e.g., 70%) or the inverse (i.e., 30% who are *not* serious, chronic or violent).
  - Also report the *number* (as opposed to share) of prison admissions as well as average sentence length and/or length-of-stay for inmates who meet (or do not meet) the state's definition of serious/chronic/violent. This will help show whether shifts in the index are due to reductions in lower-level inmates or to increases in higher-level inmates.

5. Overall Crime

Goal: To track general crime trends in the state.

Specification (with options/alternatives):

Metric 1: Total Crimes and rate per 100,000 residents

Metric 2: Index Crimes and rate per 100,000 residents

Metric 3: Violent Crimes and rate per 100,000 residents

Metric 4: Drug arrests and rate per 100,000 residents

For all metrics:

- Use FBI Uniform Crime Reports data (crimes reported to police)

6. Three-Year Recidivism

Goal: To document trends in the recidivism rate of probationers and inmates exiting the state Department of Corrections.

Metric 1: Overall 3-year recidivism rate of offenders released from state prison

Metric 2: Overall 3-year recidivism rate of offenders sentenced to probation

- Clock should start upon placement

For both metrics:

- Consider reporting re-arrest and reconviction rates in addition to return-to-prison (for inmates) and revocation (for probationers).
- Provide breakdown by time to recidivism (i.e., the total returning to prison within certain increments of time, such as within 1, 2 and 3 years of release)
- Provide breakdown of the group returning to or going to prison from supervision into new arrests and/or new convictions versus technical revocations.
- Report recidivism rates for each risk category, allowing for accurate comparisons across groups and over time.
- Consider tracking desistance as well as a longer-term measure of success.

.

7. Corrections Spending

Goal: To document trends in spending on prisons, probation and parole, and other correctional alternative programs, such as problem-solving courts, that may not be captured in standard agency budgets.

Metric 1: Department of Corrections budget (overall)

- Consider reporting the DOC's share of state general fund expenditures
- Consider reporting the actual funds/share of DOC budget spent on new facility construction and/or in bond maintenance for previous facilities

Metric 2: Probation budget (if state level; local figures if possible)

Metric 3: Parole budget

Metric 4: Total alternative program funding

For all metrics:

- Chart or note significant one-time or recurrent funding from federal or other sources
- Consider reporting the actual funds/share of budget spent on risk reduction programming
- Consider reporting the actual funds/share of budget spent on inmate health care

8. Total Savings and Reinvestment

Goal: To document taxpayer savings of costs avoided due to sentencing and corrections reforms. Because these measures are based in part on projected expenditures or on estimates, they necessarily will require that assumptions be made based upon the best available data and that consensus be reached regarding marginal costs per person per day in prison, for example.

Metric 1:

- Total estimated cost savings/avoidance as calculated by the difference between pre-reform baseline cost projections and actual expenditures
- Total estimated cost savings/avoidance based on the difference in projected and actual prison populations and the marginal (and step-wise, where appropriate) per day costs

Metric 2: Total spending on correctional programs or staffing that can be attributed to up-front investment or reinvestment of cost savings/avoidance

Metric 3: Percent share of savings reinvested (i.e., Metric 2 divided by Metric 1)

II. Policy-Specific Measures

System-level trends such as those above are an important first step in understanding state sentencing and corrections outcomes. At the same time, these broad indicators are insufficient for measuring the impact of specific JRI reforms. In order to make performance measurement meaningful, states should also collect data that allows for an analysis of discrete policy changes. These analyses will likely include a deeper dive into admission and release trends as well as data elements specific to the policy intervention.

For example, a state that implemented an earned-time credit for probation or parole supervision might include the number of people eligible for the credits, the number of credits awarded, and the number of people discharged from supervision after receiving credits, and the average reduction in their term of supervision. This type of analysis will allow decisionmakers to better assess the impact of JRI policies and understand the system-level trends.

The following is a list of common reforms adopted in JRI states and suggested policy-specific performance measures. Whenever possible these measures should be compared to historical trends (in particular a baseline prior to policy implementation) and reported on an annual or more frequent basis.

A Note on Averages

Averages such as prison disposition rates—for example, the percentage of placements to probation versus prison sentences—can be calculated using the numbers below. (The disposition rate is the difference between felony convictions and sentences to prison.). For that reason, averages have not been listed separately. As with all the policy-specific measures below, these averages should be reported as an overall measure and should be reported by offense type, felony classification, and other relevant categories.

Policy: Reclassify/redefine offenses

Metrics:

- Number of convictions for reclassified or redefined offenses
- Number of felony convictions
- Number of sentences to prison
- Average sentence lengths
- Average time served

Policy: Good/earned-time prison credits

Metrics:

- Number of inmates eligible for credits
- Number of inmates who received credits
- Average reduction in time served as a result of credits
- Average percentage of sentence served for inmates who received credits

Policy: Intermediate responses to violations (including administrative sanctions)

Metrics:

- Number of people eligible for graduated sanctions

- Number of people who received a sanction
- Average number of sanctions imposed
- Number of people sanctioned to jail
- Average time served in jail as a result of sanctions
- Number of people revoked to prison as a result of sanctions
- Average time served in prison on revocation as a result of sanctions.

Policy: Earned discharge from probation/parole

Metrics:

- Number of people eligible for credits
- Number of people who received credits
- Number of people discharged prior to full supervision term
- Average reduction in supervision term as a result of credits

Cap revocation time

Metrics:

- Total number of revocations
- Number of revocations for a technical violation
- Number of revocations eligible for cap on revocation time
- Average time served in prison for eligible revocations
- Average time served in prison for all revocations

Mandatory reentry supervision

Metrics:

- Total number of releases
- Number of people who "max out"
- Number of people released to MRS
- Average length of stay reduction due to MRS

Presumptive probation

Metrics:

- Number of eligible convictions
- Number of placements to probation
- Number of sentences to prison
- Departure rate (i.e., sentences to prison/eligible convictions)

Parole hearing/decision/eligibility standards

Metrics:

- Number of inmates eligible for parole
- Number who receive parole review hearing on schedule
- Average delay for those who do not receive hearing on schedule
- Number of inmates who are granted parole
- Average time served for prison releases
- Average percentage of sentence served for prison releases

Risk-needs assessment

Metrics:

- Number of assessments completed
- Percentage of population receiving an assessment
- Number of people assessed as low, medium, and high risk
- Number of people who received tailored interventions or supervision levels based on the results of the assessment

III. Policy Assessment and Evaluation

Documenting the outcomes of reforms adopted in JRI states is crucial to understanding the overall impact of JRI, highlighting successes, and encouraging wider adoption of policies that work. Policy assessments differ from policy-specific performance measures in that they compare the population affected by a policy reform to a similar population pre-reform to determine the impact on correctional populations, costs, and recidivism.

Policy assessments of Kentucky's Mandatory Reentry Supervision policy and Louisiana's cap on revocation time have shown that JRI reforms can reduce the prison population while also protecting public safety. The assessment of Kentucky's mandatory reentry supervision, one of many policies in its 2011 legislation, showed that the policy resulted in a net reduction of 872 prison beds per year, saving the state more than $29 million, and has improved public safety by reducing the new offense rate of those on supervision by 30%.[1]

The assessment of Louisiana's limit on incarceration to 90 days for those whose probation or parole had been revoked for technical violation (i.e., not a new crime) found that the policy reduced returns to custody for new crimes of 22%, reduced 2,034 prison and jail beds per year, and saved an average of $17.6 million in annual corrections costs.[2] Based on the findings that Louisiana's cap on revocation time had reduced the average length of incarceration for first-time technical parole revocations by nine months, while also resulting in fewer returns new crimes, the Louisiana State Legislature recently expanded the policy to include second and third-time revocations.

With support from the Bureau of Justice Assistance, the Urban Institute (Urban) is conducting policy assessments of three additional reforms adopted in JRI states. The assessments include an analysis of presumptive probation in South Dakota, sentencing reforms in Georgia, and graduated sanctions in South Carolina. These assessments will be published in the Fall of 2015 and Spring of 2016.

[1] Pew Charitable Trusts, "Mandatory Reentry Supervision: Evaluating the Kentucky Experience" (June 2014).
[2] Pew Charitable Trusts, "Reducing Incarceration for Technical Violations in Louisiana: Evaluation of Revocation Cap Shows Cost Savings, Less Crime" (October 2014).